

REMARKS

This amendment is offered in response to the Office Action of December 27, 2007.

The various claims have been amended to obviate the rejections under 35 U.S.C. §112, second paragraph.

The Office Action rejected Claims 1, 5-9 and 13 under 35 U.S.C. §102(b) as being anticipated by the Heijnen reference (U.S. Patent No. 6,574,939). Similarly, the Office Action rejected Claims 2-4 and 10 under 35 U.S.C. §103(a) as being obvious over the Heijnen reference and rejected Claims 11 and 12 under 35 U.S.C. §103(a) as being obvious over the Heijnen reference and further in view of the Leighton reference (WO 03/097341).

It is noted that independent Claims 1 and 9 have been amended to include the elements of Claims 2 and 10, respectively. It is respectfully submitted that this immediately obviates the rejection under 35 U.S.C. §102(b).

With respect to the rejection of the claims under 35 U.S.C. §103(a) over the Heijnen reference, the Applicant respectfully submits that the Heijnen reference does not disclose or suggest the zipper supply means moving “together as a unit” with the sealing means and applicator means. As stated by the Office Action, the Heijnen reference states that an improvement is achieved by the “zipper applying/sealing apparatus that moves with the film” (quoted from last line of numbered page 3 of the Office Action). However, the actual quoted language from the Heijnen reference “A synchronous motion of the transverse seam sealing device and of the device for attaching and securing the closure strip can be achieved if the two devices are coupled to one another” does nothing to disclose or suggest such a construction including a zipper supply means. It is further respectfully submitted that any effort to make this

quotation disclose or suggest anything regarding the zipper supply means is to engage in the luxury of hindsight gained after review of the disclosure, which is clearly improper.

It is further respectfully submitted that the Leighton reference, alone or in combination does nothing to obviate this deficiency.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a stylized flourish at the end.

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